

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

JACOB BLAIR SCOTT

PLAINTIFF

v.

CIVIL ACTION NO. 1:21-cv-318-TBM-RPM

JACKSON COUNTY, MS *et al*

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

Jacob Blair Scott filed suit in this Court against multiple Defendants, including Amanda Capers, Matthew Lott, Lott Law Firm LLC, and Jamie Marie Rouse. These Defendants filed a three-and-a-half-page Motion to Dismiss [3] this action as frivolous and requested sanctions and attorney's fees, to which Scott filed a twelve-page Response [14]. No reply was filed. United States Magistrate Judge Robert P. Myers entered a Report and Recommendation [18] on July 22, 2022, recommending that this Court deny Amanda Capers, Matthew Lott, Lott Law Firm LLC, and Jamie Marie Rouse's Motion to Dismiss [3] without prejudice. No party has filed an objection to the Report and Recommendation, and the time for filing an objection has expired.

"When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." FED. R. CIV. P. 72(b) advisory committee's note to 1983 addition (citations omitted); *see Casas v. Aduddell*, 404 F. App'x 879, 881 (5th Cir. 2010) (affirming district court's dismissal of Section 1983 claims and stating that "[w]hen a party fails timely to file written objections to the magistrate judge's proposed findings, conclusions, and recommendation, that party is barred from attacking on appeal the unobjected-to proposed findings and conclusions which the district court accepted, except for plain error") (*citing Douglass v. United Serv. Auto Ass'n*, 79 F.3d 1415, 1428-29 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1)); *Douglass*, 79 F.3d at 1430 (affirming district court's grant of summary


judgment). Having considered Judge Myers' Report and Recommendation, the Court finds neither is clearly erroneous nor contrary to law.

While the Motion to Dismiss is being denied without prejudice at this stage, based on the allegations, the Defendants are not precluded from attempting to seek an early dismissal again.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation [18] entered by United States Magistrate Judge Robert P. Myers on July 22, 2022, is ADOPTED as the opinion of the Court.

IT IS FURTHER ORDERED AND ADJUDGED the Defendants' Motion to Dismiss [3] is DENIED without prejudice.

THIS, the 27th day of September, 2022.


TAYLOR B. McNEEL
UNITED STATES DISTRICT JUDGE